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Economic and Social Council

Provisional

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Provisional summary record of the 46th meeting
Held at Headquarters, New York, on Monday, 11 December 2006, at 11.30 a.m.

President: Mr. Hachani ..... (Tunisia)

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The meeting was called to order at 11.40 a.m.

Non-governmental organizations (*continued*)
(E/2006/32 (Parts I and II); E/2006/L.24, L.25 and L.26)

1. **The President** recalled that, at the Council's substantive session of 2006, a number of draft proposals had been deferred to the resumed session so as to give delegations the opportunity to consider additional information on the applications for consultative status submitted by three organizations: the Danish National Association for Gays and Lesbians, the Lesbian and Gay Federation in Germany, and the International Lesbian and Gay Association-Europe. The Secretariat had provided Council members with full information regarding those applications and their consideration by the Committee on Non-Governmental Organizations, including the full transcripts of the latter's discussions on them.

2. Also pending were two draft decisions to take note of, respectively, the report of the Committee on Non-Governmental Organizations on its 2006 regular session (E/2006/32 (Part I)) and the Committee's report on its resumed 2006 session (E/2006/32 (Part II)).

3. **Mr. Jokinen** (Observer for Finland), speaking on behalf of the European Union, said that the European Union strongly believed that every NGO, regardless of its nature, was entitled to treatment which was in accordance with Council resolution 1996/31 on the consultative relationship between the United Nations and non-governmental organizations and which followed the standard practice of the Committee on Non-Governmental Organizations. The principles of non-discrimination and diversity were very dear to the European Union.

4. Resolution 1996/31 explicitly confirmed the need to take into account the full diversity of NGOs and specified that such organizations would be granted consultative status if they were concerned with matters falling within the competence of the Council and its subsidiary bodies; had aims and purposes that were in conformity with the spirit, purposes and principles of the Charter; and undertook to support the work of the United Nations and to promote knowledge of its principles and activities.

5. The three organizations under consideration met those criteria. Much of their work was in support of United Nations activities. A number of similar organizations had been accredited for participation in the recent High-level Meeting on HIV/AIDS, without complaint from other participants, in recognition of the contribution that they could make to those discussions. The three organizations in question were also keen to use accreditation to promote the work of the United Nations.

6. To date, over 2,800 NGOs had been granted consultative status based on the principles contained in resolution 1996/31. Many of them undoubtedly espoused views or policies that were not necessarily shared by States members of the European Union. However, the European Union still believed that they had a right to make their views known at the United Nations.

7. In recent years, the Committee on Non-Governmental Organizations had rejected applications for consultative status or withdrawn that status only in cases where the organization concerned had carried out activities against a Member State or had been involved in or connected to terrorist activities. The organizations under consideration obviously did not fall into that category.

8. Furthermore, the representatives of the organizations in question had provided fully satisfactory answers to all the questions asked by members of the Committee on Non-Governmental Organizations when their applications had been considered by that body. No credible reasons had been given for refusing them consultative status.

9. The Economic and Social Council was the parent body of the Committee on Non-Governmental Organizations. According to paragraph 15 of resolution 1996/31, the granting, suspension and withdrawal of consultative status, as well as the interpretation of norms and decisions relating to that matter, were the prerogative of Member States exercised through the Economic and Social Council and its Committee on Non-Governmental Organizations.

10. At its substantive session in July, the Council had duly rejected the draft decisions recommended by the Committee on Non-Governmental Organizations regarding the applications of the three organizations in question, and had adopted a decision not to send the application of the Danish National Association for Gays and Lesbians back to the Committee. The Council's will had already been clearly expressed: the organizations in question were entitled to consultative status.

11. The European Union would have preferred to conclude the Council's consideration of the item in July. However, after listening to the views of delegations during those proceedings, including requests for further information, it had agreed to defer the Council's decision to the resumed session. Now that that information had been provided, he trusted that all delegations were ready to complete the work started at the substantive session.

12. **Ms. Stewart** (Canada) conveyed her delegation's support for the three draft decisions sponsored by Finland on behalf of the European Union (E/2006/L.24, L.25 and L.26), whereby the Council would grant consultative status to the three organizations in question. Canada strongly supported an inclusive United Nations that allowed room for diverse voices to be heard. Resolution 1996/31 clearly stated the need to take account of the full diversity of NGOs. Her delegation expected the Committee on Non-Governmental Organizations to ensure fair consideration of all applications from NGOs, including by following its established practice of engaging in dialogue. Unfortunately, the Committee had failed to do that. She called on the Council to avoid repeating what appeared to be a pattern of discrimination by the Committee. It was crucial for NGOs representing diverse constituencies within civil society to have an equal opportunity to express their views in United Nations forums.

13. **Mr. Jolle** (Observer for Norway), speaking also on behalf of New Zealand, said that the United Nations was, and should remain, an intergovernmental organization where decisions were taken by its Member States. At the same time, the relationship between the United Nations and NGOs was as old as the Charter itself and critical to the work of the United Nations.

14. Contemporary issues were very different from those that had faced the world when the United Nations had been created and could not be resolved by Governments alone. New Zealand and Norway strongly concurred with the finding of the report of the Panel of Eminent Persons on United Nations-Civil Society Relations (A/58/817) that global threats such as terrorism, climate change and AIDS required global solutions involving all stakeholders. Meeting future challenges called for real partnerships between Governments and the NGO community. To expand and deepen relationships with NGOs was to strengthen the intergovernmental debate.

15. In addressing difficult issues, decision-makers must work hand in hand with decision-shapers. Member States needed strong advocates for otherwise easily forgotten causes and the expertise and perspective that decision-shapers could provide. The exemplary partnership between NGOs and Member States in drafting a convention on the rights of persons with disabilities was a case in point.

16. All applications for consultative status should be considered objectively on the basis of the criteria set out in resolution 1996/31. The organizations in question should be given a fair hearing and judged on their merits. It was a matter of serious concern that the Committee on Non-Governmental Organizations had not engaged in a substantive discussion on the applications of the organizations in question or given a reason for refusing them consultative status, particularly since many such organizations had played a major role in the international debate on HIV/AIDS. The applications of numerous NGOs dealing with non-discrimination clearly indicated the need for civil society representation at the United Nations. There was extensive evidence of violations, based on sexual orientation and gender identity, of the right to life and to freedom from violence and torture. While the United Nations maintained the responsibility for monitoring compliance with human rights obligations, it needed to engage with civil society in its efforts to uphold the core principle of non-discrimination. He called on Council members to ensure that the three applications in question were considered on their merits.

17. **The President** invited the Council to take action on the three applications in question.

18. **Ms. Ayesha** (Pakistan), supported by the representatives of Guinea-Bissau, the Russian Federation, Colombia, Mauritania and Saudi Arabia, said that she had understood the meeting announcement in the *Journal* to mean that the Council would take action on the report of the Committee on Non-Governmental Organizations at the afternoon meeting. She therefore requested that the issue should be deferred until the afternoon.

19. **Ms. Pliner** (Secretary of the Council) said that the *Journal* announcement was written in the usual way. It should be understood to mean that the two

items listed would be discussed at the morning meeting and, if necessary, at an afternoon meeting.

20. **Mr. Frick** (Germany) said that the *Journal* announcement was very clear. He appealed to the Council to take action immediately.

21. **The President** suggested, in light of the views expressed, that consideration of the item should be postponed until the afternoon meeting.

22. *It was so decided.*

23. **Mr. Ballestero** (Costa Rica) said that his delegation did not object to the decision to postpone consideration of the item until the afternoon. However, there had been confusion over *Journal* announcements for many years and the format used — which was the same for all bodies — had never been changed. Either the format should be corrected or it should be made clear that the current format was the norm and could not be cited as a reason to defer consideration of a given item. The decision just taken by the Council should not become a precedent.

Social and human rights questions (*continued*)

(g) Human rights (*continued*) (A/61/41)

24. **The President** drew attention to the report of the Committee on the Rights of the Child (A/61/41). The Council had been unable to take note of the report at its substantive session in July because the report's issuance had been delayed. In the absence of any comments, he took it that the Council wished to take note of the report of the Committee on the Rights of the Child (A/61/41).

25. *It was so decided.*

The meeting rose at 12.05 p.m.